



UNITED STATES DEPARTMENT OF COMMERCE  
Patent and Trademark Office  
Address: COMMISSIONER OF PATENTS AND TRADEMARKS  
Washington, D.C. 20231

SERIAL NUMBER	FILING DATE	FIRST NAMED APPLICANT	ATTORNEY DOCKET NO.
05/364,534	12/27/92	KOHRS	0 01943642

ANIRUDH T. DILLON  
FELSMAN, BRADLEY, CENTER & DILLON, LLP  
SUITE 350 ARBORETUM POINT  
9505 ARBORETUM BOULEVARD  
AUSTIN TX 78759

EXAMINER	
CHESTER, C.	
ART UNIT	PAPER NUMBER

2310 16  
DATE MAILED: 01/31/97

Below is a communication from the EXAMINER in charge of this application

COMMISSIONER OF PATENTS AND TRADEMARKS

ADVISORY ACTION

THE PERIOD FOR RESPONSE:

a)  is extended to run \_\_\_\_\_ or continues to run 3 M from the date of the final rejection.  
b)  expires three months from the date of the final rejection or as of the mailing date of this Advisory Action, whichever is later. In no event however, will the statutory period for the response expire later than six months from the date of the final rejection.

Any extension of time must be requested by filing a petition under 37 CFR 1.13(b), the proposed response and the appropriate fee. The date on which the response, the petition, and the fee have been filed is the date of the response and also the date for the purpose of determining the period of extension and the corresponding amount of the fee. Any extension fee pursuant to 37 CFR 1.17 will be calculated from the date of the originally set statutory period for response or as set forth in b) above.

Applicant's Brief is due in accordance with 37 CFR 1.102(e).  
 Applicant's response to the final rejection, filed 1/14/97 has been considered with the following effect, but it is not deemed to place the application in condition for allowance:

- The proposed amendments to the claim and/or specification will not be entered and the final rejection stands because:
  - There is no convincing showing under 37 CFR 1.116(b) why the proposed amendment is necessary and was not earlier presented.
  - They raise new issues that would require further consideration and/or search. (See Note).
  - They raise the issue of new matter. (See Note).
  - They are not deemed to place the application in better form for appeal by materially reducing or simplifying the issues for appeal.
  - They present additional claims without canceling a corresponding number of finally rejected claims.

NOTE: \_\_\_\_\_

\_\_\_\_\_

2.  Newly proposed or amended claims \_\_\_\_\_ would be allowed if submitted in a separately filed amendment canceling the non-allowable claims.

3.  Upon the filing an appeal, the proposed amendment  will be entered  will not be entered and the status of the claims will be as follows:

Claims allowed: \_\_\_\_\_  
Claims objected to: \_\_\_\_\_  
Claims rejected: \_\_\_\_\_

However:

Applicant's response has overcome the following rejection(s): \_\_\_\_\_

4.  The affidavit, exhibit or request for reexamination has been considered but does not overcome the rejection because the reference teaches the invention to the extent required since the rejection was made under §103 and not §102.

5.  The affidavit or exhibit will not be considered because applicant has not shown good and sufficient reasons why it was not earlier presented.

The proposed drawing correction  has  has not been approved by the examiner.

Other

*TOD R. SWANN*  
TOD R. SWANN  
ADVISORY PATENT EXAMINER  
1-900